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H – 655

International Court of Justice

H0655 - 0002

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

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I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certifie qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

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2. Order Nr.160/35 on the Prohibition of Self-Defense-Measures (Selbsthilfeaktion) against Jews;

3. Circular Nr.169/35 on the Business Relations between Members of the Armed Forces and Jews;

4. Bulletion Nr.171/35 on the Membership of Party Members in the so called World Union of Nationalists;

5. Circular Nr.181/35 on the Relations between Party Members and Jews;

6. Order Nr.184/35 on the Application of the "Law against Malicious Attacks on the State and Party and for the Protection of the Party Uniform;"

7. Circular Nr.1/36 concerning "Der Stuermer" as an Inofficial Publication;

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9. Circular Nr.24/36 on the Collaboration of the SD and the Party Offices;

10. Circular Nr.4/37 on the Injunction of Emergency Contributions etc. in Cases where Jewish Physicians are employed etc.

From "Orders, Regulations, Announcements" Vol.II.

11. Scope of Tasks of the Party Chancellery, Page 228.

Certificate

I certify herewith that the following copies of the above mentioned documents are true copies of the original texts contained in the two designated volumes.

Nuernberg, 4 June 1946

signed: Dr. Bergold

Attorney at Law.

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Copies from the book

Collection of all instructions still valid
issued up to 31 March 1937
by the
Deputy of the Fuehrer

1937

Zentralverlag der NSDAP Frz. Eher Nachf., Munich

H0655 - 0006

Bormann No. 1

Instruction No. 129/35

In order to bring about a closer contact between the agencies of the party and its organizations and the leaders of the secret state police (Gestapo), the deputy of the Fuehrer requests, that in the future the leaders of the secret state police be invited to all the more important official events of the party and of its organizations.

Munich , 26 June 1935

The chief of staff of the Fuehrer's Deputy.

signed: M. Bormann

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Bormann No.2

Instruction No. 160/35 .

I request that the attention of all party members and members of the organisations of the party be again called upon the most rigorous enforcement of my instruction 63/ 35 of 1. April 1935. A protest to undertake self-defence measures against Jewish provocators is the less consistent, as the party has not changed and will not change its basic attitude towards the Jewish question. The existance of the national- socialist state can never be endangered by Jewish provocators, but it depends only upon the deep anchoring of our ideology in the whole people, and in addition to all other virtues, which the Fuehrer expects from a national-socialist, principally upon the absolute discipline of the individual person. He who despite my prohibition permits himself to be induced to participation in a self-defense action against provocating Jews, will themselves have to bear all the consequences arising from it.

Munich, 2 August 1935

The chief of staff of the Fuehrer's Deputy.

signed : M.Bormann

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Bormann No. 3

Circular No. 169/35.

Recently, an order was issued on behalf of the Reich Minister of War, making it a duty for the members of the armed forces not to buy in Jewish shops.

But it is not permissible that members of the armed forces who unwittingly or unintentionally enter a Jewish shop, as has occurred several times, be publicly exposed to criticism and that for instance their pictures be shown in the socalled "Stuermer boxes". I declare by order, that wherever such a thing has occurred, the pictures or other indications must be immediately removed.

All agencies concerned must be immediately informed of this instruction.

Besides, I must state for information, that the discussions concerning the marking of Jewish shops are not yet completed.

Munich, 27 August 1938.

The chief of staff of the Fuehrer's Deputy.

signed: M. Bormann.

H0655 - 0009

Bormann No. 4

Bulletin No. 171/35

With reference to different inquiries I inform you by order that the membership of party members in the so-called World Union of Nationalists is undesired.

Munich 26 August 1935

The Chief of staff of the Fuehrer's Deputy:

Signed. M. Bormann

H0655-0010

Bormann No.5

Circular No. 181/35

Subject : Relations between party Members and Jews.

As I am informed, the regulations concerning the relations between party members and Jews are often subject to a completely erroneous interpretation. In several cases party members have been called to account for having sold goods to Jews.

In one case disciplinary action has been initiated by the party against a party member because he sold a motor-car to a Jew. In another case, due to a similar attitude taken by party-members the conclusion was reached that the selling of food to a Jew was prohibited.

But - as I expressely state by order - the selling of goods to Jews shall by no means be prohibited. In the same way, business - men should not be forced, as occured, to post the "Stürmer" in their shops. Contrary regulations are to be annuled immediately.

Munich, 22 August 1935

The Chief of Staff of the Fuehrer's Deputy.

Signed: M. Bormann

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Bormann No. 6

Instruction No. 184/35

On the ground of the "Law against Malicious Attacks on the State and Party and for the Protection of the Party Uniform" of 20 December 1934, all those penal cases which constitute an offense against the Party, its leaders or its installations were submitted by the Reich Minister for Justice to the deputy of the Fuehrer for a joint decision with respect to the political aspect of the case.

The deputy of the Fuehrer has used his right of joint decision because he would like to prevent offenders from being sent to jail for months for each small punishable offence and because, through such an application of the law, a second "Law for the Protection of the Republic" would be created.

Thus, although the creation of martyrs must absolutely be prevented, severe proceedings shall be started against those persons whose attacks are of a bad character or whose convictions are definitely hostile to the state.

To that effect I ask all Gauleiters to inform this office in a brief report concerning all offenses which absolutely must be punished, insofar as they are known to the Gaus, irrespective of the report which has to be made to the prosecution authorities.

The offices of the District Leaders and the local districts are to be informed accordingly.

Should however a decision be made from this office for one or another penal case to the effect the offender should be given a simple or strong warning by the court, I shall issue instructions for the future, ordering that the names of these persons be reported to the Gaus.

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Bormann No.6

Furthermore I request that steps be taken to have the local groups look after these fellow - countrymen and try to influence them in a national - socialist way. On the other hand it is necessary to subject to a close control the activit of those persons who do not want to listen to reason. In such cases it is necess to inform the Secret State Police (Gestapo)

Munich, 3 September 1935
The Chief of Staff of the Fuehrer's Deputy.

signed: M. Bormann.

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Bormann Nr. 7

Circular Nr. 1/36

In reply to various inquiries I state that, according to a decision by the Fuehrer, the weekly publication "Der Stuermer" is not a party organ. Competent for matters concerning the "Stuermer" therefore is not the Reichsleader of the NSDAP, but the Ministry of Information and Propaganda.

Fellow party member Streicher as an exception has been permitted by the Fuehrer to sign as editor of the "Stuermer".

Muenchen, 4 January 1935

The Chief of Staff of the Fuehrer's Deputy.

sign. M. Bormann

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Bormann No.8

Instruction Nr.23/36

Various offices of Gauleiters have repeatedly complained that regulations and circulars issued by the Offices of the Reichsleitung, now as before, are only being sent to the heads of the central regional office of a given district and that the Gauleiters themselves often have no knowledge of the contents of such circulars and regulations.

The deputy of the Fuehrer requests therefore that all vital directives be sent to heads of central regional offices by way of the Gauleiter or that a copy of same be sent simultaneously to the Gauleiters and the heads of central regional offices (Amtsleiter).

Since the Gauleiters are in the final analysis responsible for the enactment in their Gaudistrict of the regulations issued by all offices of the Reichsleitung and they could not be expected to carry out directives of subordinate political leaders, it is requested by the deputy of the Fuehrer that all circulars and regulations directed to the Gauleitung be personally signed by all Reich leaders and independent department and office heads of the Reichsleitung.

Munich, 14 February 1936.

The Chief of Staff of the Fuehrer's Deputy.

sign. M. Bormann

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Bormann No. 9

Circular Nr. 24/36

The order, copy of which is attached, was issued by the Chief of the Main Security Office on 8 December 1935 to all offices subordinate to him.

The order states that in future all complaints concerning inside party matters received by the Main Security Office should be transmitted without review or examination of the facts to the Deputy of the Fuehrer.

The Main Security Office will arrange that also in the future all cases of a criminal nature, even though they may concern fellow party members should be submitted automatically to the competent state prosecutor, in accordance with the law affecting all German citizens.

This regulation will eliminate in the future all possible friction between the SD and all party offices.

The Fuehrer's Deputy expects that the offices of the party will now abandon all mistrust against the SD and that they will suport it with all their efforts in solving the difficult tasks assigned to it for the protection of the Movement and the people.

It must be taken into consideration that the SD is a comparatively new organization born by the emergency of the times and that in its further development it has to overcome great difficulties, especially of a personal -political nature.

Since above all the work of the Party derives benefits from the function of the SD, the latter must not be hampered in its development by irrelevant attacks caused by failures on the part of individuals, on the contrary, it must be promoted by all possible means.

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Bormann Nr.9

The Fuehrer's deputy requests that all subordinate offices be properly informed of the contents of this regulation and that possible future complaints concerning the SD. be transmitted to him for further discussion with the Reichsfuehrer-SS.

Munich, 14 February 1935.

The Chief of Staff of the Fuehrer's Deputy.

sign. M. Bormann.

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Bormann No.10

Regulation Nr.4/37

Re: No Payment of emerhencu contributions etc. in cases where Jewish physicians are employed, etc.

The Reich and Prussian Minister of the Interior has issued on my suggestion the following general decree, of which you are herewith informed:

(1) For expenses incurred in employing Jewish physicians, dentists, pharmacists, nurses, hospitals and sanatorias, maternity-hospitals, undertakers, attorneys, etc. no more emergency contributions (nor part payments) or support shall be extended to state employees unless it concerns a special individual case (f.i. when the consultation of a Jewish physician was unavoidable because of threatening danger to life.

(2) Certifications by Jewish physicians will not be considered sufficient in the future to prove permanent or temporary incapacitation.

(3) The general decree also concerns former state employees and their survivors; it does not apply to Jewish pensioned officials and Jewish survivors.

(4) Who is a Jew, is decribed in par.5 of the Regulation to the Reich Civil Law, of 14 Nov.1935 (RGBl. I S 1933).

Supplementary note to the Highest Reich authorities, the Prussian Prime Minister, the Prussian Minister of Finance: with the request that it be published in the local gazettes.

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of orig.)

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S-upplementary note to the Reich- and Prussian Ministry of Communications.

Also in response to letter of September 24th, 1936 - P 4 2729/36.

Supplementary note to the Chief Administration of German Railways, the Reichsbank Directorium : For acknowledgment with the request to act according to these directives in your business sphere.

Printed copies to the Highest Reich authorities, the Prussian Prime Minister, the Prussian Minister of Finance, the various Main Railways Administrations, to the Reichsbank Directorium. RMBliV. S 133.

I wish to remark that discussions are under way at this time concerning further regulations.

Munich, 8 January 1937.

The Chief of Staff of the Fuehrer's Deputy.

signed : Bormann

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Copy from the book

Orders, Regulations,

Announcements

II Volume

(Page 228)

Published by the

Party Chancellery

Central Publications of the NSDAP, Frz. Eher Successors, Munich

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Bormann No. 11

Scope of Tasks of the Party Chancellery.

By virtue of the Fuehrer Decree of 29 May 1941 (RGBL.I, p.35, appendix 1) concerning the position of the Head of the Party Chancell an Executive Order was issued on 16 May 1942 (RGBL, p.35, appendix 1) which clarifies the actual powers of the Head of the Party Chancellery in relation to the highest Reich authorities. This gives me an occasion to sum up also for the Party the directives issued up to now

The Party Chancellery is an office of the Fuehrer. He uses its services for the direction of the NSDAP, the leadership of which he has taken over again com pletely and exclusively by himself as of 12 May 1941.

The head of the Party Chancellery is empowered by the Fuehrer to work out all the internal party plans according to his basic directiv and all questions important for the existence of the German nation in the party's sphere as well as to coodinate the proposals of the Reichsleiters, Gauleiters and unit leaders with the general political requirements. Orders and directives for the general administrative problems of the party are issued to the party, its formations and connected units either by the Fuehrer himself or in his name by the party chancellery.

The Fuehrer has reserved himself the right to set down the political line to be followed by the party, its branches and connecte units. As his associate I have to keep him constantly informed about the current state of party work and to communicate to him all the circumstances important in deciding party matters.

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It is therefore necessary that I as head of the party chancellery should be currently informed by the Reichsleiters, Gauleiters and unit leaders about the development of party work as well as about plans and designs of political significance and also that I be called in from the start if any fundamental questions in party policies are worked out. And in turn it is my goal to keep the Reichsleiters, Gauleiters and unit leaders currently informed about the decisions, directives and wishes of the Fuehrer; I believe that by just this procedure the driving power of the NSDAP could be enhanced and its uniform interpretation of all fundamental political questions guaranteed

Furthermore, by order of the Fuehrer of 19 May 1941 on the basis of the law for safeguarding the unity of party and state, I, as Head of the Party Chancellery, have been designated to represent the party in dealing with the highest authorities of the Reich. As a result the following powers arise, which were reconfirmed by the executive order to the Fuehrer decree of 16 January 1942 (RGBL 1942, page 35) regarding the position of the Head of the Party Chancellery:

1) Participation in Reich and regional legislation including the preparation of the Fuehrer decrees, In doing so the head of the Party Chancellery will bring to bear the interpretation of the party as the protector of the national socialist political ideology. (Fuehrer decrees of 27.7.1934 and 6.4.1935) The head of the Party Chancellery must be called in from the very beginning by the highest Reich authorities for participation in the preparation of Reich laws, of decrees and orders of the Fuehrer, of the directives of the Council of Ministers for the Defense of the Reich, as well as orders of the highest Reich authorities, including enactment decrees and executive orders. The same applies to giving assent to laws and orders of the provinces and to orders of the Reichsstatthalters.

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Bormann Nr.11

2. Right of the Party to intervene in personnel matters of employees and labor leaders, whose nomination the Fuehrer has reserved for himself (Fuehrer decree of 24.9.1935, RGBL I, page 1002 and of 10.7.1937. RGBl I, page 796) - The right of the party to intervene in matters of state personnel has been transferred to the Gauleiters by Fuehrer decree supplementing the decree regarding the appointment of employees and the discontinuance of employment (RGBl I page 155) of 26.3.1942.

3. The safeguarding of the Party's influence on the self administration of regional corporations (Par.18 German Municipal Order of the Ostmark Law of 10 June 1939.) As all the powers in the field of administration have been transferred to me, having belonged according to previous laws, orders, decrees, instructions and other directives to the former Fuehrer's Deputy, so all previous instructions concerning the relations between party officials and highest Reich authorities as well as the highest authorities of provinces containing several Gaus, are still in force.

Thus the party will collaborate in legislation and in the supervision of the official personnel through the highest Reich authorities exclusively via the Party Chancellery. Also proposals and ideas for new legislation coming from the party, its formations or from affiliated unions should be directed to the competent highest Reich authorities only by the head of the Party Chancellery.

Direct transactions between the highest Reichauthorities and the highest authorities of provinces embracing several Gaus on one side and the officials of the party, its formations and affiliated

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Bormann No.11

unions on the other are at present and in the future not permitted if they involve fundamental and political questions, particularly those which are concerned with the preparation, change or execution of laws, decrees and instruc ions or which regard personnel matters of civil service employees. These regulations have been explicitly issued by the Fuehrer in order to ascertain the uniformity of the party's representation. They have therefore to be followed unconditionally. On my part I have given orders to inform the offices of the Reichsleitung at special meetings at regular intervals about the pending legislative work, to accept proposals and suggestions by these officials at the meetings for approval and to let the given party office concerned participate in working out all individual questions.

We, Annemarie C. Catlin, Theodore Lit, hereby certify that we are thoroughly conversant with the English and German languages, and that the above is a true and correct translation.

Annemarie C. Catlin
X 046172

12 June 1946

Theodore Lit
X 046185